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Date April 14, 2005 **Pages including cover** 8

Subject Response to Notification of Missing Requirements

Re: Application of Hardev SINGH
Serial No.: 10/501,940; Int'l. Appl. No.: PCT/EP03/00558
Title: *Apparatus and Process for Preparing Crystalline Particles*
Attorney Docket No. PG4597USw

Attached is:

1. Transmittal Letter (2nd page in duplicate)
2. Combined Declaration and Power of Attorney (2 pages)
3. Copy of Notification of Missing Requirements under 35 USC 371, date mailed 02/23/2005

Certificate of Transmission by Facsimile (37 CFR 1.8)

I hereby certify that this Response to Notification of Missing Requirements is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-305-3230) on April 14, 2005.

Marjorie J. Pfeiffer

Marjorie J. Pfeiffer

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FORM PTO-1390 (Modified) (REV. 12-2004) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED [redacted]ICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER	
PG4597USw	
U.S. APPLICATI[redacted]O. (If known, see 37 CFR 1.5)	
10/501,940	

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP03/00558	21 January 2003	22 January 2002

TITLE OF INVENTION
APPARATUS AND PROCESS FOR PREPARING CRYSTALLINE PARTICLES

APPLICANT(S) FOR DO/EO/US
Hardev SINGH

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 b. ☐ has been communicated by the International Bureau.
 c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 a. ☐ is attached hereto.
 b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 b. ☐ have been communicated by the International Bureau.
 c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13*ter*.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Copy of Notification of Missing Requirements under 35 USC 371, date mailed 02/23/2005

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PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/501,940	PCT/EP03/00558	PG4597USw

24. The following fees are submitted:		Applicant use	Office use
☐ a) Basic national fee	$300.00	$ $0.00	
☐ b) Examination fee	$200.00	$ $0.00	
☐ c) Search fee	$500.00	$ $0.00	
TOTAL OF ABOVE CALCULATIONS =	$1000.00	$ $0.00	

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is $250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole	RATE		
- 100 =	/50 =		x	$	

Surcharge of $130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). $ $130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x $18.00	$ $0.00	
Independent claims	- 3 =	0	x $86.00	$ $0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) ☐			+	$ $0.00	
TOTAL OF ABOVE CALCULATIONS =				$ $130.00	
☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				$ $0.00	
SUBTOTAL =				$ $130.00	
Processing fee of $130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				$ $0.00	
TOTAL NATIONAL FEE =				$ $130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40 per property +				$ $0.00	
TOTAL FEES ENCLOSED =				$ $130.00	
Amount to be refunded:					$
Amount to be charged:					$

a. ☐ A check in the amount of $ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of $130.00 to cover the above fees. A duplicate copy of this sheet is

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

James P. Riek
NAME

CUSTOMER NUMBER 39,009
REGISTRATION NUMBER

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,940	Hardev Singh	PG4597USw

INTERNATIONAL APPLICATION NO.	
PCT/EP03/00558	
I.A. FILING DATE	**PRIORITY DATE**
01/21/2003	01/22/2002

23347
DAVID J LEVY, CORPORATE INTELLECTUAL PROPERTY
GLAXOSMITHKLINE
FIVE MOORE DR., PO BOX 13398
RESEARCH TRIANGLE PARK, NC 27709-3398

CONFIRMATION NO. 7146

371 FORMALITIES LETTER

OC000000015247064

Date Mailed: 02/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/20/2004
- Copy of the International Search Report filed on 07/20/2004
- Copy of IPE Report filed on 07/20/2004
- Preliminary Amendments filed on 07/20/2004
- Information Disclosure Statements filed on 07/20/2004
- Copy of references cited in ISR filed on 07/20/2004
- U.S. Basic National Fees filed on 07/20/2004
- Priority Documents filed on 07/20/2004

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- **$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

DOCKETED

Docket No: PG4597USW
Attorney: JPR(ADS)
Paper: Declaration w/fee Due
Due Date: 23 April 2005
Deadline: 23 Sept 2005
Recorded:

SUMMARY OF FEES DUE:

Total additional fees required for this application is **$130** for a Large Entity:

- **$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

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DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be exten[redacted]by filing a petition and fee for extension of ti[redacted]der the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,940	PCT/EP03/00558	PG4597USw

FORM PCT/DO/EO/905 (371 Formalities Notice)

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